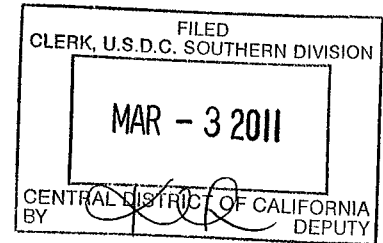


I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL Plaintiff
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF
RECORD IN THIS ACTION ON THIS DATE.

DATED: 3/3/2011
DEPUTY CLERK



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

WILLIE MORGAN,

Plaintiff,

vs.

V. CHAKMAKIAN, et al.,

Defendants.

Case No. CV 10-4345-DOC (RNB)

ORDER ADOPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. Objections to the Report and Recommendation have been filed herein. Having made a de novo determination of those portions of the Report and Recommendation to which objections have been made, the Court concurs with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that (1) plaintiff's claims for monetary damages against all defendants in their official capacities are dismissed without leave to amend; (2) defendants' motion to dismiss is granted with leave to amend with respect to: (a) plaintiff's claims against all defendants in their individual capacities pursuant to the First Amendment, and (b) plaintiff's claims against defendants Jamie, Cervantes, and Stole in their individual capacities pursuant to the Eighth Amendment; (3) defendants' motion to

1 dismiss is denied with respect to plaintiff's Eighth Amendment claim against defendant
2 Chakmakian in his individual capacity; and (4) if plaintiff still desires to pursue any of
3 his First Amendment claims, or his Eighth Amendment claims against defendants Jamie,
4 Cervantes, and Stole, in their individual capacities, he is ordered to file a First Amended
5 Complaint remedying the deficiencies of those claims as discussed in the Report and
6 Recommendation within thirty (30) days of the service date of this Order.

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8 DATED: March 2, 2011

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11 DAVID O. CARTER
12 UNITED STATES DISTRICT JUDGE
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